




CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed February 16, 2018


United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:

ACIS CAPITAL MANAGEMENT, L.P.,

ALLEGED DEBTOR.

§
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§
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§

Case No. 18-30264-SGJ7

Chapter 7

IN RE:

ACIS CAPITAL MANAGEMENT GP,
L.L.C.,

ALLEGED DEBTOR.

§
§
§
§
§
§

Case No. 18-30265-SGJ7

Chapter 7

ORDER GRANTING MOTION TO MODIFY 11 U.S.C. § 303(F)
AND IMPOSE 11 U.S.C. § 363

On January 31, 2018, Joshua N. Terry ("Mr. Terry") filed the *Emergency Motion to Abrogate or Modify 11 U.S.C. § 303(f), Prohibit Transfer of Assets, and Impose, Inter Alia, 11 U.S.C § 363* [Case No. 18-30264-SGJ7, Docket No. 3; Case No. 18-30265-SGJ7, Docket No. 3] (the "303(f) Motion") in the above-referenced cases. The Court, having reviewed the 303(f) Motion and having considered the statements of counsel at final hearing before the Court (the

ORDER GRANTING MOTION TO MODIFY 11 U.S.C. § 303(F) TO IMPOSE 11 U.S.C. § 363

"Hearing"), finds that: (a) this Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1334, (b) this matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2), and (c) notices of the 303(f) Motion and the Hearing were sufficient under the circumstances. Having considered the 303(f) Motion, the evidence, arguments of counsel, and responses, including Acis Capital Management, L.P. and Acis Capital Management GP, LLC's Joint Objections to the 303(f) Motion [Case No. 18-30264-SGJ7, Docket No.16; Case No. 18-30265-SGJ7, Docket No. 15], this Court is of the opinion that the 303(f) Motion is meritorious and establishes sufficient grounds for the relief requested therein.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:¹

1. The 303(f) Motion is **GRANTED** as set forth herein.
2. Section 303(f) is hereby modified to the extent and in the manner set forth herein.
3. Notwithstanding Section 303(f) of the Bankruptcy Code, Section 363 of the Bankruptcy Code shall apply in the above-styled cases.
4. Mr. Terry is not required to file a bond pursuant to Section 303(e) and (i).
5. This Court shall retain exclusive jurisdiction to enforce the terms of this Order.

END OF ORDER

Submitted by:

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¹ Unless otherwise noted herein, all undefined capitalized terms appearing in this Order shall have the meaning(s) ascribed to such terms as set forth in the 303(f) Motion.

By: /s/ Rakhee V. Patel

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-and-

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